

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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JEFFREY DESKOVIC,

Plaintiff,

v.

CITY OF PEEKSKILL, PUTNAM COUNTY,  
WESTCHESTER COUNTY, DAVID LEVINE, No.. CV-07-8150 (KMK)(GAY)  
THOMAS MCINTYRE, WALTER  
BROVARSKI, EUGENE TUMOLO, JOHN  
AND JANE DOE SUPERVISORS, DANIEL  
STEPHENS, LOUIS ROH, MILLARD  
HYLAND, PETER INSERO, and LEGAL AID  
SOCIETY OF WESTCHESTER COUNTY

Defendants.

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LINDA McGARR,

Plaintiff,

v.

CITY OF PEEKSKILL, WESTCHESTER COUNTY,  
DAVID LEVINE, THOMAS MCINTYRE,  
WALTER BROVARSKI, EUGENE TUMOLO, No. CV-7-9488 KMK)(GAY)  
JOHN AND JANE DOE SUPERVISORS, DANIEL  
STEPHENS, LOUIS ROH, and MILLARD HYLAND,

Defendants.

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**STIPULATION**


IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned  
counsel for the respective parties, that in exchange for the City of Peekskill's (the "City")  
promise and resolution to indemnify David Levine, Thomas McIntyre, Walter Brovarski and  
Eugene Tumolo (the "Peekskill Individual Defendants") for any compensatory damages and  
attorney fees and costs awarded against them should plaintiffs succeed against them in these

actions, that plaintiffs hereby discontinue with prejudice all claims for punitive damages against the Peekskill Individual Defendants arising from the allegations set forth in Jeffrey Deskovic's Third Amended Complaint and Linda McGarr's Second Amended Complaint.

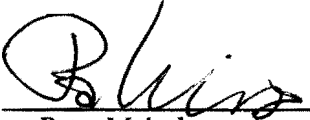
The plaintiffs agree that this stipulation shall not constitute a waiver of any defenses, including apportionment, that the City and/or the Peekskill Individual Defendants may have to plaintiffs' claims, including their claims for attorneys' fees.

*White Plains*  
Dated: \_\_\_\_\_, New York  
August 9, 2011

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Attorneys for Plaintiff

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McIntyre, and Walter Brovarski

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SO ORDERED:

\_\_\_\_\_  
Kenneth M. Karas, U.S.D.J.

actions, that plaintiffs hereby discontinue with prejudice all claims for punitive damages against the Peekskill Individual Defendants arising from the allegations set forth in Jeffrey Deskovic's Third Amended Complaint and Linda McGarr's Second Amended Complaint.

The plaintiffs agree that this stipulation shall not constitute a waiver of any defenses, including apportionment, that the City and/or the Peekskill Individual Defendants may have to plaintiffs' claims, including their claims for attorneys' fees.

Dated: \_\_\_\_\_, New York  
August \_\_, 2011

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SO ORDERED:

Kenneth M. Karas, U.S.D.J.

9/5/11